

**FINDINGS OF FACT FOR AN AMENDED PLAT OF LOT 4 OF THE MEDICAL TECH PARK MINOR SUBDIVISION LOCATED IN THE SW 1/4 SE 1/4, SECTION 18, TOWNSHIP 20 N., RANGE 4 E., P.M.M. CASCADE COUNTY, MONTANA**

The application requesting preliminary plat approval for an amended plat of lot 4 of the Medical Tech Park minor subdivision was received on June 27, 2017. The submittal was determined to contain all required components sufficient for adequate public review on July 25, 2017 and scheduled for public hearing for the Cascade County Planning Board on August 15, 2017 pursuant to statutory requirements. Notice of the public hearing was sent to adjacent property owners by certified mail on August 1, 2017 and published in the Great Falls Tribune on July 30, 2017 and August 6, 2017.

NeighborWorks Great Falls (subdivider) and John Sheffels ETAL (Owners) request preliminary plat approval for an amended plat of lot 4 of the Medical Tech Park minor subdivision consisting of three (3) lots ranging in size from 2.047 acres to 18.550 acres. The total acreage of the project site is 29.474 acres.

**I. PRIMARY REVIEW CRITERIA**

**Effect on Agriculture**

The proposed subdivision presently consists of one (1) parcel of land (29.474 cumulative acres) within the Urban Residential Zoning District. To the north of the project site, in the City of Great Falls, the parcels are zoned Public Lands and Institutional with educational uses/University, and a Mixed Use District with commercial offices. To the south across 24<sup>th</sup> Ave South is an undeveloped parcel of land zoned Suburban Residential (SR1) (160 acres) that is used for agricultural purposes. Bordering the subdivision to the east is a vacant parcel with no current use, that is zoned urban residential. To the west is Urban Residential zoning and residential uses. Soils are made up of 62% Dooley sandy loam (0 to 4 percent slopes), 18% Ipano-Hillon complex (0 to 4 percent slopes), and Virgelle loamy fine sand (0 to 2 percent slopes). The Dooley sandy loam and Ipano-Hillon Complex make up approximately 80% of the area and is classified as farmland of statewide importance. The development should not affect the farmland of statewide importance as the property was never put into farming but kept as vacant land with native grasses. Due to the small size of the parcel, farming would not be economical, the property has been used previously for grazing.

**Effect on Local Services**

The proposed three (3) lot subdivision will have one parcel annexed to the city for future development and no development occurring on the two parcels remaining in the county.

The proposed subdivision receives law enforcement services from the Cascade County Sheriff Department and fire protection services from the Sand Coulee Volunteer Fire Department. The applicant is not installing fire cisterns as one of the lots will be annexed into the city, and the other two lots will be restricted to development with a statement on the plat "No development shall occur on the remaining lots in the country until a fire cistern of adequate size is installed or the parcels are annexed into the city for future development."

A letter requesting comments was sent to the Sand Coulee Volunteer Fire Department Chief and any response received from them will be forwarded to the Planning Board and the County Commissioners.

Parkland dedication is required as part of this subdivision. However, due to the parcel being annexed into the city for future development and restrictions placed on the two remaining parcels in the county, parkland dedication is not beneficial to the parties involved. Therefore, cash in lieu payment for parkland dedication is requested by the applicant.

The requested action by the county is a subdivision, there should not be any more trips generated as part of this subdivision, as two lots are not proposing development, so no additional traffic will be generated. After one of the three parcels is annexed, the use will be for multifamily apartment buildings. Based on trip generation factors available from the Institute of Transportation Engineers, 124 Residential units in several apartment buildings would generate approximately 825 trips per day and 83 weekday peak hour trips, based on 6.65 trip ends per unit on weekday and .67 weekday trips in the weekday PM peak hour.

Letters requesting comments were sent to the Montana Department of Transportation and the Cascade County Road and Bridge Division. No comments have been received back from either of these agencies.

### **Effect on the Natural Environment**

Subdivision of the site is not expected to create significant surface run-off problems. There is no development proposed as part of this subdivision. Disturbed areas will be re-seeded to prevent erosion. The slopes on the parcel are minimal and no surface water or groundwater should be impacted by this subdivision. The lots remaining in the county will have sanitary restrictions placed on the parcels which will prohibit development until the lots are reviewed for water, wastewater and storm water by Montana Department of Environmental Quality.

Soils are made up of Dooley sandy loam (0 to 4 percent slopes), Ipano-Hillon complex (0 to 4 percent slopes), and Virgelle loamy fine sand (0 to 2 percent slopes). The Dooley sandy loam and Ipano-Hillon Complex make up 80% of the area and is classified as farmland of statewide importance. The development should not affect the farmland of statewide importance as the property was never put into farming but kept as vacant land with native grasses and used for grazing. Due to the small size of the parcel, farming would not be economical. The project was sent to the Cascade Conservation District for review, any comments received will be forwarded to the Planning Board and Commissioners.

The subdivision is not expected to adversely affect native vegetation, soils, the water quality, or the quantity of surface or ground waters. Disturbed areas during development will be re-seeded and the weed management plan will be followed to reduce the spread of noxious weeds.

### **Effect on Wildlife and Wildlife Habitat**

This location has been used for grazing previously and is located in an urban area. There are no important habitats, wildlife areas, or wetlands being affected as part of this subdivision. Wildlife activity is minimal due to lack of habitat and water within the area to be subdivided. The major species that would be affected would likely be ground nesting birds. Humans and pets are likely to have a negative impact on wildlife in the area, however landscaping could provide more habitat for wildlife. Letters requesting comment have been submitted to the Department of Fish, Wildlife, and Parks. The subdivision will not result in closure of public access to hunting or fishing areas, nor to public lands.

## **Effect on Public Health and Safety**

Based on available information, this subdivision does not appear to be subject to potential natural hazards such as flooding and rock slides; nor potential man-made hazards such as nearby heavy industrial or mining activity. Wildfires are always a possibility in subdivisions adjacent to crop or pasture land when located within the wildland urban interface. Fire and emergency services have been addressed. Vehicle access to the subdivision will be primarily off of 24<sup>th</sup> Ave South.

## **II. REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATION**

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

## **III. COMPLIANCE WITH THE CASCADE COUNTY GROWTH POLICY**

The proposed subdivision is in general compliance with the Cascade County Growth Policy to preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens and by ensuring that all new roads be built to county specifications, designing subdivisions so as to minimize the risk of fire, promoting adequate ingresses and egresses, adequate water supply systems, requiring local review of subdivisions meet DEQ regulations, and by complying with the weed district's weed management plans. The area is not located in a designated Resource Protection Area, Prohibitive Development Area or Conditional Development Area; therefore those standards are not applicable to the proposed subdivision.

### **SETBACK STANDARDS**

The minimum standards must comply with the Cascade County Zoning Regulations.

### **SLOPE STANDARDS**

Development on slopes exceeding thirty percent is prohibited except where a licensed engineer, with demonstrated experience in the field of slope stabilization certifies that the development will create no slope failure or erosion hazards.

### **OFF-STREET PARKING STANDARD**

All parking in the proposed subdivision will be accommodated on the premises and entirely off street.

### **RESIDENTIAL DEVELOPMENT STANDARD**

The minimum standards must comply with the Cascade County Zoning Regulations.

### SOIL EROSION STANDARD

The proposed subdivision should not cause soil erosion or other adverse impacts of runoff on neighboring properties, roads, or watercourses. There is no development taking place on the lots remaining in the county.

### SOILS LIMITATIONS STANDARD

Soils that have moderate or severe limitations for the proposed subdivision will be identified and measures to mitigate such limitations will be implemented.

### ROAD ACCEPTANCE AND MAINTENANCE POLICY

Legal access, described as public street and utility easement, to the lots will be provided on the final plat. There will be a private access road that will be privately maintained to access lot 4B. The County will not have responsibility for road maintenance until such time as the County accepts the internal roads as County roads.

### FIRE PROTECTION STANDARD

This development lies within and receives fire protection services from the Sand Coulee Fire District. There is a restriction on development of the lots remaining in the county that development may not occur until the parcels are annexed into the city or a fire cistern of adequate size is installed. Response time will be dictated by weather and road conditions. A letter has been sent to the Sand Coulee Fire Chief asking for comments on the proposed subdivision. Any comments received will be sent to the Planning Board and the County Commissioners.

### SCHOOL SYSTEM'S CAPACITY STANDARD

Letters were sent to the Cascade County Superintendent of Schools and the Great Falls Public Schools. The Great Falls Public Schools responded to the request for comments in a letter stating, "The addition of the development will have an impact on the Great Falls Public School District. The estimated 55 additional students in proximity to Sunnyside Elementary School will be able to be accommodated only by displacing existing students who are currently attending the school. Sunnyside Elementary is currently at capacity and if enrollment stays the same, it will not be able to accommodate 55 additional students. While the District as a whole will be able to accommodate the additional students who may eventually reside in the new subdivision, there will be an increased cost to taxpayers due to the transportation of students to other schools."

Great Falls Public Schools also commented that "The students from the new Rockcress Commons Development will be able to walk to Sunnyside Elementary School which is the nearest elementary school. Since this school is already operating at capacity, the new students will displace students already attending the school. The displaced students will likely attend the next closest school which is Longfellow Elementary School. This will have the impact of increased costs for an additional bus route because the additional students will have to be bused across one of the busiest streets in the State for safety reasons."

These reasons are not reasons to deny the subdivision, as Great Falls Public Schools

can accommodate students even though the closest elementary school is already at capacity. There is room for additional students within the school district to accommodate this subdivision.

#### **IV. EASEMENTS FOR UTILITIES**

Any comments received by staff will be forwarded to the Planning Board and County Commissioners. All easements will be shown on the final plat.

#### **V. LEGAL AND PHYSICAL ACCESS**

1. Legal access will be provided to all lots through public street and utility easements placed on the final plat. This easement allows for either the city or county to accept these roads and built to the respective standards. The roads will not be county responsibility until such time as the county accepts them.
2. A private easement will be provided to access lot 4B and 4A.
3. The completion of 23<sup>rd</sup> Street South will occur during annexation, or will be constructed before development occurs on lot 4A in the county if the parcel is not annexed.

#### **VI. OPTIONS AND RECOMMENDATIONS**

In making their recommendations and decisions, the Cascade County Planning Board and the Cascade County Commission shall consider the following:

- A. relevant evidence relating to the public health, safety, and welfare;
- B. the Summary of Probable Impacts;
- C. the Cascade County Growth Policy; and
- D. the provisions outlined in the Cascade County Subdivision Regulations and the Montana Subdivision and Platting Act.

#### **VII. DECISION ALTERNATIVES**

1. Approve the proposed subdivision.
2. Approve the proposed subdivision with conditions.
3. Table the proposed subdivision for further study.
4. Deny the proposed subdivision.